

Solomon	Thurman	Weldon (PA)
Souder	Tiahrt	Weller
Spence	Tierney	Weygand
Stabenow	Turner	White
Strickland	Upton	Whitfield
Talent	Visclosky	Wicker
Tauzin	Walsh	Wilson
Taylor (NC)	Wamp	Wolf
Thomas	Watts (OK)	Young (AK)
Thornberry	Waxman	
Thune	Weldon (FL)	

NAYS—161

Ackerman	Greenwood	Olver
Baldacci	Hall (OH)	Pastor
Barr	Hall (TX)	Paul
Barrett (WI)	Hamilton	Payne
Becerra	Hansen	Pelosi
Berry	Hefley	Peterson (PA)
Blagojevich	Hefner	Petri
Bonior	Herger	Pombo
Borski	Hilleary	Pomeroy
Boucher	Hilliard	Price (NC)
Brady (PA)	Hinojosa	Rahall
Brown (FL)	Hoekstra	Rangel
Brown (OH)	Hostettler	Reyes
Campbell	Hoyer	Roemer
Capps	Jackson (IL)	Rogers
Carson	Jefferson	Rohrabacher
Castle	Johnson (WI)	Roybal-Allard
Chenoweth	Johnson, E. B.	Royce
Clayton	Jones	Sabo
Clement	Kanjorski	Sanders
Clyburn	Kennedy (MA)	Sandlin
Coburn	Kilpatrick	Sanford
Combest	Kind (WI)	Sawyer
Condit	Klecza	Scott
Conyers	Klink	Sensenbrenner
Coyne	LaFalce	Skaggs
Cramer	Lee	Smith, Adam
Crane	Lofgren	Snyder
Cummings	Lucas	Spratt
Cunningham	Luther	Stark
Danner	Maloney (CT)	Stearns
Davis (IL)	Markey	Stenholm
DeFazio	Martinez	Stokes
DeGette	Mascara	Stump
Delahunt	Matsui	Stupak
DeLauro	McCarthy (MO)	Sununu
Dingell	McDermott	Tanner
Doggett	McHale	Tauscher
Doolittle	McNulty	Taylor (MS)
Duncan	Meehan	Thompson
Edwards	Meeks (NY)	Torres
Eshoo	Millender-	Towns
Etheridge	McDonald	Trafficant
Evans	Miller (CA)	Velazquez
Farr	Minge	Vento
Fattah	Mink	Waters
Fazio	Moakley	Watkins
Filner	Mollohan	Watt (NC)
Ford	Moran (KS)	Wexler
Frank (MA)	Moran (VA)	Wise
Furse	Murtha	Woolsey
Gejdenson	Neal	Wynn
Goode	Oberstar	Yates
Gordon	Obey	Young (FL)

NOT VOTING—18

Clay	Kennelly	Pryce (OH)
Davis (FL)	King (NY)	Riggs
Fawell	Manton	Rush
Gephardt	Meek (FL)	Sanchez
Gonzalez	Myrick	Scarborough
Goss	Poshard	Schumer

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶91.14 CONTEMPT OF CONGRESS

Mr. BURTON, by direction of the Committee on Government Reform and Oversight, reported (Rept. No. 105-728) a privileged report on the refusal of Attorney General Janet Reno to produce documents subpoenaed by the Committee on Government Reform and Oversight; referred to the House Calendar and ordered printed.

¶91.15 PROVIDING FOR THE CONSIDERATION OF SUSPENSIONS

Mr. DIAZ-BALART, by direction of the Committee on Rules, reported (Rept. No. 105-729) the resolution (H. Res. 544) providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶91.16 PROVIDING FOR THE CONSIDERATION OF H.R. 3248

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 543):

Resolved. That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3248) to provide dollars to the classroom. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendments the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶91.17 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Mr. SNOWBARGER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995, and in Executive Order 13059 of August 19, 1997. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 Fed. Reg. 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the Order was provided to the Speaker of the House and the President of the Senate by letter dated March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 (60 Fed. Reg. 24757, May 9, 1995) to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States. The terms of that order and an earlier order imposing an import ban on Iranian-origin goods and services (Executive Order 12613 of October 29, 1987) were consolidated and clarified in Executive Order 13059 of August 19, 1997.

At the time of signing Executive Order 12959, I directed the Secretary of

the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and U.S. Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakhstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Congressional leadership by letter dated May 6, 1995.

2. On August 19, 1997, I issued Executive Order 13059 in order to clarify the steps taken in Executive Order 12957 and Executive Order 12959, to confirm that the embargo on Iran prohibits all trade and investment activities by United States persons, wherever located, and to consolidate in one order the various prohibitions previously imposed to deal with the national emergency declared on March 15, 1995. A copy of the Order was transmitted to the Speaker of the House and the President of the Senate by letter dated August 19, 1997.

The Order prohibits (1) the importation into the United States of any goods or services of Iranian origin or owned or controlled by the Government of Iran except information or informational material; (2) the exportation, reexportation, sale, or supply from the United States or by a United States person, wherever located, of goods, technology, or services to Iran or the Government of Iran, including knowing transfers to a third country for direct or indirect supply, transshipment, or reexportation to Iran or the Government of Iran, or specifically for use in the production, commingling with, or incorporation into goods, technology, or services to be supplied, transshipped, or reexported exclusively or predominantly to Iran or the Government of Iran; (3) knowing reexportation from a third country to Iran or the Government of Iran of certain controlled U.S.-origin goods, technology, or services by a person other than a United States person; (4) the purchase, sale, transport, swap, brokerage, approval, financing, facilitation, guarantee, or other transactions or dealings by United States persons, wherever located, related to goods, technology, or services for exportation, reexportation, sale or supply, directly or indirectly, to Iran or the Government of Iran, or to

goods or services of Iranian origin or owned or controlled by the Government of Iran; (5) new investment by United States persons in Iran or in property or entities owned or controlled by the Government of Iran; (6) approval, financing, facilitation, or guarantee by a United States person of any transaction by a foreign person that a United States person would be prohibited from performing under the terms of the Order; and (7) any transaction that evades, avoids, or attempts to violate a prohibition under the Order.

Executive Order 13059 became effective at 12:01 a.m., eastern daylight time on August 20, 1997. Because the Order consolidated and clarified the provisions of prior orders, Executive Order 12613 and paragraphs (a), (b), (c), (d) and (f) of section 1 of Executive Order 12959 were revoked by Executive Order 13059. The revocation of corresponding provisions in the prior Executive orders did not affect the applicability of those provisions, or of regulations, licenses or other administrative actions taken pursuant to those provisions, with respect to any transaction or violation occurring before the effective date of Executive Order 13059. Specific licenses issued pursuant to prior Executive orders continue in effect, unless revoked or amended by the Secretary of the Treasury. General licenses, regulations, orders, and directives issued pursuant to prior orders continue in effect, except to the extent inconsistent with Executive Order 13059 or otherwise revoked or modified by the Secretary of the Treasury.

The declaration of national emergency made by Executive Order 12957, and renewed each year since, remains in effect and is not affected by the Order.

3. On March 4, 1998, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the authority for the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for trade in information and informational materials and certain other limited exceptions.

4. There have been no amendments to the Iranian Transactions Regulations, 31 CFR Part 560 (the "ITR"), since my report of March 16, 1998.

5. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (OFAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 12 licenses.

The majority of denials were in response to requests to authorize commercial exports to Iran—particularly of machinery and equipment for various industries—and the importation of Iranian-origin goods. The licenses that were issued authorized certain financial transactions and transactions relating to air safety policy. Pursuant to sections 3 and 4 of Executive Order

12959, Executive Order 13059, and consistent with statutory restrictions concerning certain goods and technology, including those involved in air safety cases, the Department of the Treasury continues to consult with the Departments of State and Commerce on these matters.

Since the issuance of Executive Order 13059, more than 1,500 transactions involving Iran initially have been "rejected" by U.S. financial institutions under IEEPA and the ITR. United States banks declined to process these transactions in the absence of OFAC authorization. Twenty percent of the 1,500 transactions scrutinized by OFAC resulted in investigations by OFAC to assure compliance with IEEPA and ITR by United States persons.

Such investigations resulted in 15 referrals for civil penalty action, issuance of 5 warning letters, and an additional 52 cases still under compliance or legal review prior to final agency action.

Since my last report, OFAC has collected 20 civil monetary penalties totaling more than \$110,000 for violations of IEEPA and the ITR related to the import or export to Iran of goods and services. Five U.S. financial institutions, twelve companies, and three individuals paid penalties for these prohibited transactions. Civil penalty action is pending against another 45 United States persons for violations of the ITR.

6. On January 22, 1997, and Iranian national resident in Oregon and a U.S. citizen were indicted on charges related to the attempted exportation to Iran of spare parts for gas turbines and precursor agents utilized in the production of nerve gas. The 5-week trial of the American citizen defendant, which began in early February 1998, resulted in his conviction on all counts. That defendant is awaiting sentencing. The other defendant pleaded guilty to one count of criminal conspiracy and was sentenced to 21 months in prison.

On March 24, 1998, a Federal grand jury in Newark, New Jersey, returned an indictment against a U.S. national and an Iranian-born resident of Singapore for violation of IEEPA and the ITR relating to exportation of munitions, helicopters, and weapons systems components to Iran. Among the merchandise the defendants conspired to export were parts for Phoenix air-to-air missiles used on F-14A fighter jets in Iran. Trial is scheduled to begin on October 6, 1998.

The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued.

7. The expenses incurred by the Federal Government in the 6-month period from March 15 through September 14, 1998, that are directly attributable to the exercise of powers and authorities

conferred by the declaration of a national emergency with respect to Iran are reported to be approximately \$1.7 million, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel); the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Intelligence and Research, and the Office of the Legal Adviser); and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

8. The situation reviewed above continues to present an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the Government's opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957, 12959, and 13059 continues to advance important objectives in promoting the nonproliferation and anti-terrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 16, 1998.*

By unanimous consent, the message was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105-312).

¶91.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. UNDERWOOD, for today and the balance of the week.

And then,

¶91.19 ADJOURNMENT

On motion of Mr. Bob SCHAFFER of Colorado, at 11 o'clock p.m., the House adjourned.

¶91.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 4017. A bill to extend certain programs under the Energy Policy and Conservation Act and the Energy Conservation and Production Act, and for other purposes; with an amendment (Rept. No. 105-727). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform and Oversight. Report on the Refusal

of Attorney General Janet Reno to Produce Documents Subpoenaed by the Government Reform and Oversight Committee (Rept. No. 105-728). Referred to the House Calendar.

Mr. MCINNIS: Committee on Rules. House Resolution 544. Resolution providing for consideration of motions to suspend the rules (Rept. No. 105-729). Referred to the House Calendar.

¶91.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CASTLE:

H.R. 4590. A bill to allow all States to participate in activities under the Education Flexibility Partnership Demonstration Act; to the Committee on Education and the Workforce.

By Mr. STARK (for himself and Mr. CARDIN):

H.R. 4591. A bill to amend title XVIII of the Social Security Act to provide for home health case manager services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 4592. A bill to amend titles XI and XVIII of the Social Security Act to establish a program to ensure that home health agencies do not employ individuals who have a history of patient or resident abuse or have been convicted of certain crimes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAPO:

H.R. 4593. A bill to establish a National Resources Institute at the Idaho National Engineering and Environmental Laboratory; to the Committee on Science.

By Mr. FOSSELLA (for himself, Mr. KING of New York, Mr. BLILEY, Mr. BUNNING of Kentucky, Mr. WELDON of Pennsylvania, Mr. FORBES, Mr. ENSIGN, and Mr. KLUG):

H.R. 4594. A bill to provide funds to States to establish and administer periodic teacher testing and merit pay programs for elementary and secondary school teachers; to the Committee on Education and the Workforce.

By Mr. REGULA (for himself, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. WELLER, Mr. HYDE, Mr. DAVIS of Illinois, Mr. SHIMKUS, Mr. FAWELL, Mr. MANZULLO, Mr. HASTERT, Mr. DICKS, Ms. NORTON, Mr. COSTELLO, Mr. CRANE, Mr. PORTER, Mr. LAHOOD, Mr. POSHARD, Mr. BLAGOJEVICH, Mr. EVANS, Mr. RUSH, Mr. EWING, Mr. MILLER of Florida, Mr. SKEEN, Mr. KOLBE, Mr. WAMP, Mr. SKAGGS, Mr. McDADE, and Mr. MURTHA):

H.R. 4595. A bill to redesignate a Federal building located in Washington, D.C., as the "Sidney R. Yates Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan (for himself and Mr. THUNE):

H.R. 4596. A bill to amend the Internal Revenue Code of 1986 to provide that certain farming-related section 1231 gains and losses shall not be taken into account in determining whether a taxpayer is eligible for the earned income credit; to the Committee on Ways and Means.

¶91.22 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 68: Mr. BLILEY and Mr. GOODE.

H.R. 326: Mr. BLILEY, Mr. FROST, Mr. MCINNIS, and Ms. DANNER.

H.R. 902: Mr. BILIRAKIS and Mr. ENSIGN.

H.R. 1126: Mr. LUTHER.

H.R. 1134: Mr. PEASE.

H.R. 1231: Mr. COYNE.

H.R. 2670: Mr. MARTINEZ.

H.R. 2819: Mr. BALDACCI.

H.R. 2879: Mr. GOODLATTE.

H.R. 2882: Mr. SHADEGG and Mr. BARR of Georgia.

H.R. 2914: Mr. ENGLISH of Pennsylvania and Mr. HILLIARD.

H.R. 2939: Ms. DANNER.

H.R. 3261: Mrs. MYRICK.

H.R. 3523: Mr. ROGERS.

H.R. 3792: Mr. ENGLISH of Pennsylvania.

H.R. 3831: Ms. KILPATRICK.

H.R. 3925: Mr. BORSKI.

H.R. 4018: Mr. DOYLE, Mrs. CLAYTON, and Mr. LAMPSON.

H.R. 4121: Mr. PRICE of North Carolina and Mr. LAHOOD.

H.R. 4132: Ms. PELOSI.

H.R. 4157: Mr. HILLIARD.

H.R. 4204: Mr. BALLENGER and Mr. CALVERT.

H.R. 4217: Mr. CAMPBELL.

H.R. 4220: Ms. KILPATRICK.

H.R. 4229: Mr. NEY.

H.R. 4235: Mr. HINOJOSA.

H.R. 4242: Ms. STABENOW.

H.R. 4249: Mr. NORWOOD.

H.R. 4251: Mr. BARR of Georgia and Mr. KINGSTON.

H.R. 4266: Mr. UNDERWOOD and Mr. KUCINICH.

H.R. 4281: Mr. CAMPBELL.

H.R. 4339: Mrs. EMERSON, Ms. JACKSON-LEE of Texas, and Ms. BROWN of Florida.

H.R. 4402: Mr. ENGLISH of Pennsylvania and Mr. COOKSEY.

H.R. 4404: Mr. COOKSEY and Mr. JENKINS.

H.R. 4415: Mr. KINGSTON and Mr. NEY.

H.R. 4447: Mrs. CHENOWETH.

H.R. 4461: Mr. KINGSTON and Mr. LEWIS of Georgia.

H.R. 4472: Mr. HALL of Texas and Mr. MCGOVERN.

H.R. 4567: Mr. CARDIN, Mr. RAMSTAD, Mr. ISTOOK, Mr. CONDIT, Mr. WELLER, Mr. ADAM SMITH of Washington, and Mr. EHLERS.

H.R. 4577: Ms. KILPATRICK and Ms. RIVERS.

H.R. 4587: Mr. HEFLEY.

H. Con. Res. 210: Mr. STENHOLM.

H. Con. Res. 264: Mr. MOLLOHAN.

H. Con. Res. 295: Mr. GILMAN and Mr. HOYER.

H. Res. 532: Mr. COBLE, Mr. MANZULLO, and Mr. UPTON.

FRIDAY, SEPTEMBER 18, 1998 (92)

¶92.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. EMERSON, who laid before the House the following communication:

WASHINGTON, DC,

September 18, 1998.

I hereby designate the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

¶92.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EMERSON, announced she had exam-